

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

**APPROVING AN INTERLOCAL AGREEMENT
BETWEEN LEWIS COUNTY AND THE CITY
OF MOSSYROCK REGARDING WORK BY LEWIS
COUNTY, AND AUTHORIZING SIGNATURES
THEREON**

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} **RESOLUTION NO. 13- 106**
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}

WHEREAS, RCW 39.34.080 authorizes public agencies to perform governmental activities for other public agencies, provided the governing body of each party authorizes the contract; and

WHEREAS, the City of Mossyrock has a need to improve Court Street within the city limits, but lacks the manpower and equipment to complete the work and has asked to enter into an interlocal agreement for Lewis County to perform the work; and

WHEREAS, the Board of County Commissioners has reviewed an Interlocal Agreement between Lewis County and the City of Mossyrock regarding cement treated base and bituminous surface treatment (BST) work to be performed on Court Street within the city limits of Mossyrock, Washington in conjunction with the County's 2013 Countywide 3R Program, at an estimated cost of \$54,745.08, which includes labor, materials and equipment, plus an administrative fee of \$2,161.14, making the total \$56,906.22; and

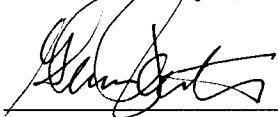
WHEREAS, it appears to be in the best public interest to authorize the execution of the Interlocal Agreement for Lewis County.

NOW, THEREFORE BE IT RESOLVED, that the Interlocal Agreement is hereby approved, and the Board of County Commissioners is authorized to sign the same.

DONE IN OPEN SESSION this 1st day of April, 2013.

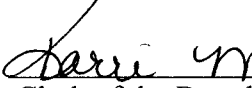
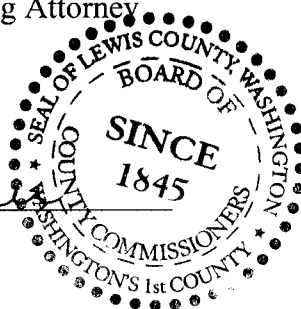
APPROVED AS TO FORM:

Jonathan L. Meyer, Prosecuting Attorney



By: Deputy Prosecuting Attorney

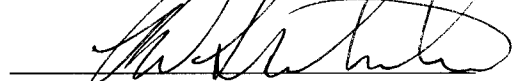
ATTEST:


Clerk of the Board

BOARD OF COUNTY

COMMISSIONERS

LEWIS COUNTY, WASHINGTON



P.W. Schulte, Chairman



F. Lee Grose, Vice Chairman



Edna J. Fund, Member

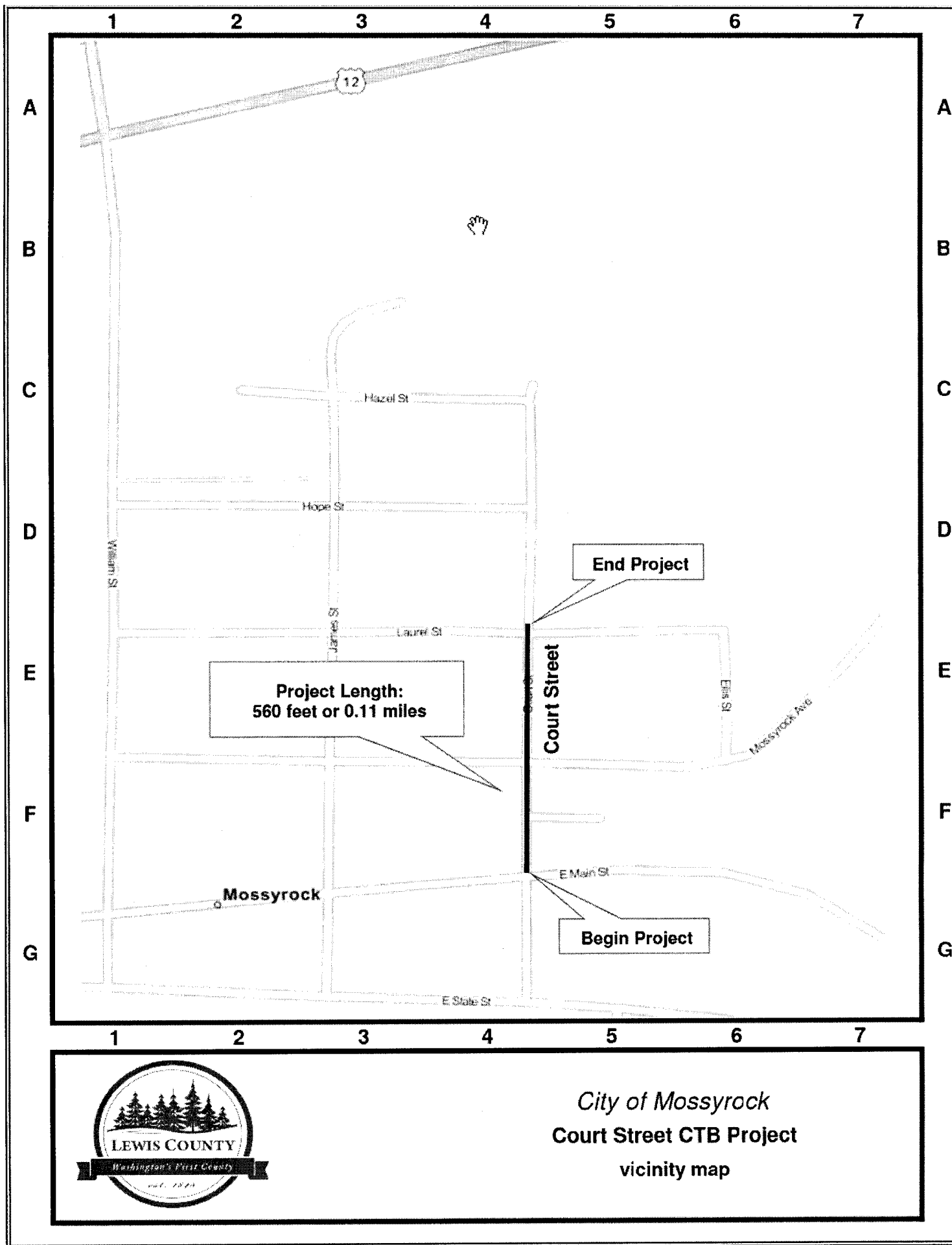
RE-MOSS CTB
Court Street Cement Treated Base and BST Project

		Contractor Construction		Agency Construction	
		*			
TOTAL CONSTRUCTION BID					
1	Mobilization (5% of other Bid Items)	1 L.S.	5,000.00	2,500.00	43,222.80
2	Pavement Pulverization	1,848 S.Y.	4.40	8,131.20	2,500.00
3	Mixing Base Stabilization	1,848 S.Y.	3.00	5,544.00	1,108.80
4	Crushed Surfacing Top Course	410 Ton	14.00	5,740.00	6,930.00
5	Asphalt Emulsion CRS-2P	15 Ton	1,512.00	22,680.00	6,970.00
6	Furnishing and Placing Crushed Screening 1/2 to No. 4	83 Ton	91.80	7,619.40	10,500.00
7	Bituminous Surface Treatment for Road Approach	5 Each	680.00	3,400.00	2,490.00
8	Project Temporary Traffic Control	1 L.S.	6,000.00	3,000.00	1,000.00
9	Cement	50 Ton	125.00	6,250.00	3,000.00
10	Paint Line	560 L.F.	2.00	1,120.00	6,000.00
11	Trimming and Cleanup	1 L.S.	2,500.00	1,000.00	224.00
12	Force Account Unsuitable Subgrade Removal	1 Est.		0.00	1,000.00
13	Minor Change	1 Calc.	1,500.00	1,500.00	0.00
			1,500.00	1,500.00	1,500.00
			75,484.60		

Construction Administration (5% of bid items 1 - 13) - 2,161.14
 Preliminary Engineering - 7,200.00
 Contingency (10% of bid items 1 - 13) - 4,322.28

Total Estimated Project Costs - 56,906.22

*Contractor Construction costs are based on the lowest of six bid proposals received in 2012 for the Godfrey Road Project by the City of Mossyrock.



Reference RCW's

RCW 39.34.080

Contracts to perform governmental activities which each contracting agency is authorized to perform.

Any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform: PROVIDED, That such contract shall be authorized by the governing body of each party to the contract. Such contract shall set forth fully the purposes, powers, rights, objectives, and responsibilities of the contracting parties.

[1967 c 239 § 9.]

RCW 43.09.210

Local government accounting — Separate accounts for each fund or activity — Exemption for agency surplus personal property.

Separate accounts shall be kept for every appropriation or fund of a taxing or legislative body showing date and manner of each payment made therefrom, the name, address, and vocation of each person, organization, corporation, or association to whom paid, and for what purpose paid.

Separate accounts shall be kept for each department, public improvement, undertaking, institution, and public service industry under the jurisdiction of every taxing body.

All service rendered by, or property transferred from, one department, public improvement, undertaking, institution, or public service industry to another, shall be paid for at its true and full value by the department, public improvement, undertaking, institution, or public service industry receiving the same, and no department, public improvement, undertaking, institution, or public service industry shall benefit in any financial manner whatever by an appropriation or fund made for the support of another.

All unexpended balances of appropriations shall be transferred to the fund from which appropriated, whenever the account with an appropriation is closed.

This section does not apply to agency surplus personal property handled under RCW 43.19.1919(5).

[2000 c 183 § 2; 1965 c 8 § 43.09.210. Prior: 1909 c 76 § 3; RRS § 9953.]

REQUEST FOR ESTIMATE FOR REIMBURSABLE WORK
BY THE LEWIS COUNTY PUBLIC WORKS DEPARTMENT

The undersigned hereby request the Public Works Department to provide a preliminary estimate for cost of work stated herein.

Type of work requested: Cement treated base and three courses of chipseal surfacing on Court Street
from approximately milepost 0.052 to 0.159. All work to be done in conjunction with Lewis County's 2013

It is understood that the total cost given is for estimation purposes only and that the project total cost will be based upon the actual cost of labor, equipment rental and materials used in the work involved. A 5% administrative fee will be included with a minimum of \$100.00 per agreement.

It is understood that such work shall be accomplished in such a manner as not to interrupt or interfere with the Lewis County Public Works Department's regular schedule; and insofar as the undersigned's interests may appear, will hold Lewis County, its employees or agents, harmless from such claims, losses, demands or actions, which may arise for any reason as a result of the performance of the agreement.

It is understood that the requesting agency has total responsibility for determining whether or not it has the legal authority to accomplish this work with its own forces but in fact has insufficient manpower/ equipment to accomplish this work and is willing to certify and warrant same.

It is understood that the requesting agency has total responsibility for having in its name all necessary easement rights or the like prior to construction and/or maintenance by the County where such work will occur off County property.

Date: 3/13/2013

Agency: CITY OF MOSSY ROCK

Signature: Thom E. Meade

Title: MAYOR

SUPERVISOR / SENIOR ENGINEER ESTIMATE

I have this date met with a representative of (agency or county department) and upon inspection of the work to be requested for such agency or other county department, it is my recommendation in this regard:

I do herewith recommend the request for such work be: Accepted ☒ Denied ☐

Date: 3-19-2013

By: Mike Kroll
Area Supervisor or Senior Engineer

1. If accepted and approved by the County Engineer, I submit my preliminary estimate cost of 54,745.08 plus administrative costs of 2,161.14 for a total cost of 56,906.22 to complete the project requested.

2. If denied, I herewith state my reason for such denial:

MAINTENANCE / ENGINEER APPROVAL OF ESTIMATE

Type of Work: ☐ Maintenance ☒ Construction

Cost Estimate of work as requested is reasonable and required resources are available: ☒ Yes ☐ No

Date: 3/20/13

By: [Signature]
Maintenance and Traffic Engineer
or Assistant County Engineer

REIMBURSABLE WORK APPROVAL

Approval subject to ratification by the Board of County Commissioners.

Date: 3/20/13

By: [Signature]
County Engineer

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Date: 3/13/2013 Agency: CITY OF MOSSY ROCK
Signature: Thom E. Meade
Title: MAYOR

SUPERVISOR / SENIOR ENGINEER ESTIMATE

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Cost Estimate of work as requested is reasonable and required resources are available: ☒ Yes ☐ No

Date: 3/20/13 By: [Signature]
Maintenance and Traffic Engineer
or Assistant County Engineer

REIMBURSABLE WORK APPROVAL

Approval subject to ratification by the Board of County Commissioners.

Date: 3/20/13 By: [Signature]
County Engineer

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It is understood that the requesting agency has total responsibility for having in its name all necessary easement rights or the like prior to construction and/or maintenance by the County where such work will occur off County property.

Date: 3/13/2013

Agency: CITY OF MOSSY ROCK

Signature: Mon E. Meade

Title: MAYOR

SUPERVISOR / SENIOR ENGINEER ESTIMATE

I have this date met with a representative of (agency or county department) and upon inspection of the work to be requested for such agency or other county department, it is my recommendation in this regard:

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Date: 3-19-2013

By: Mike Kroll
Area Supervisor or Senior Engineer

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2. If denied, I herewith state my reason for such denial:

MAINTENANCE / ENGINEER APPROVAL OF ESTIMATE

Type of Work: ☐ Maintenance ☒ Construction

Cost Estimate of work as requested is reasonable and required resources are available: ☒ Yes ☐ No

INTERLOCAL AGREEMENT

THIS AGREEMENT, made and entered into pursuant to authority of R.C.W. 39.34.080 and in conformance with R.C.W. 43.09.210, this 1 day of April, 2013, by and between LEWIS COUNTY, Washington, a political subdivision of the State of Washington, hereinafter referred to as the "County", and the City of Mossyrock, a municipal corporation hereinafter referred to as the "Municipality",

WITNESSETH:

IT IS HEREBY COVENANTED AND AGREED as follows:

1. The Municipality requests that the County perform the work listed below at a time and in a manner convenient to the County and hereby guarantees reimbursement to the County for all work done. The County will contract all necessary labor, material, and equipment incidental to complete cement treated base and three courses of Bituminous Surface Treatment (BST) on Court Street within the City Limits of Mossyrock, per the attached Estimate for Reimbursable Work.

2. The Municipality hereby agrees to reimburse the Public Works Department of the County for all work done, based upon the actual cost of labor, equipment rental, and materials used, and upon administrative services associated with the maintenance work involved. The county will be reimbursed by TIB grant #2-W-962(002)-1 and a portion of the city's STP pass-through funding if costs exceed the grant amount.

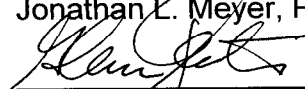
3. The Municipality certifies and warrants that it has the legal authority to accomplish this work with its own forces at the location herein specified but, in fact has insufficient manpower/equipment to accomplish this work.

4. It is understood and agreed that all reimbursable work as provided for hereto shall be accomplished only and if such work does not interrupt or interfere with the County Road Division's regular schedule, and should such reimbursable work not be accomplished prior to December 31, 2013, any and all obligation to provide same shall terminate.

5. It is understood and agreed between the parties hereto that the Municipality agrees to protect, defend, indemnify and hold harmless the County, its commissioners, agents, departments and employees against any and all liabilities, claims, damages, penalties, actions, costs and expenses (including reasonable attorney's fees) which may arise for any reason as a result of the performance of this Agreement by the County, except insofar as any obligation or responsibility is imposed upon the County by statute.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

APPROVED AS TO FORM:
Jonathan L. Meyer, Prosecuting Attorney


By: Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON


P.W. Schulte, Chairman

Executive Summary

BOCC Meeting Date:

2013-04-01

Contact:

Tim Elsea

Department:

Public Works

Wording

Authorize the BOCC to ratify an Interlocal Agreement in response to the City of Mossyrock's request.

Description

Consent of the Interlocal Agreement between Lewis County and the City of Mossyrock for Cement Treated Base and three courses of Bituminous Surface Treatment (BST) on Court Street. All work to be done in conjunction with Lewis County's 2013 Countywide 3R Program.

The City of Mossyrock secured \$62,400.00 in Transportation Improvement Board (TIB) funding to improve Court Street. The City lacks manpower and equipment to complete this work and has requested Lewis County add this work to our 2013 Countywide 3R Program. Typically, increasing quantities of already planned Lewis County work will lower unit bid prices for both agencies.

Pursuant to authority of RCW 39.34.080 and in conformance with RCW 43.09.210, this Resolution will enter the City of Mossyrock and Lewis County into an Interlocal Agreement that allows work to be performed for the City of Mossyrock in conjunction with the County's 2013 Countywide 3R Program.

Upon execution of a contract acceptable to the Board of County Commissioners, Cement Treated Base and three courses of Bituminous Surface Treatment (BST) on Court Street will be completed.

Recommendation**Other**

BOCC AGENDA ITEM SUMMARY**Resolution #:**

13106

BOCC Meeting Date: Apr 01, 2013**Suggested Wording for Agenda Item:****Agenda Type:** Consent

Authorize the BOCC to ratify an Interlocal Agreement in response to the City of Mossyrock's request.

Brief Reason for BOCC Action:

Consent of the Interlocal Agreement between Lewis County and the City of Mossyrock for Cement Treated Base and three courses of Bituminous Surface Treatment (BST) on Court Street. All work to be done in conjunction with Lewis County's 2013 Countywide 3R Program.

Submitted By: Kroll, Mike**Phone:** 2697**Date Submitted:** Mar 20, 2013**Contact Person Who Will Attend BOCC Meeting:** Tim Elsea**Action Needed:** Approve Resolution**Publication Requirements:****Hearing Date:****Publications:****Publication Dates:****Approvals:**

BOCC

Budget

Prosecutor 

Public Works

Cover Letter To